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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of California-
American Water Company (U 210 W) for Approval
of the Monterey Peninsula Water Supply Project and
Authorization to Recover All Present and Future
Costs in Rates

A. 12-04-019
(Filed April 23, 2012)

**PUBLIC TRUST ALLIANCE'S MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE IN SUPPORT OF MARINA COAST WATER DISTRICT'S MOTION
FOR RECIRCULATION OF NOA FOR COMMISSION'S DRAFT EIR**

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Date: June 26, 2015

MOTION FOR EXTENSION OF TIME

Pursuant to Commission Rule 11.6, Public Trust Alliance requests five additional days to file a Response to a Motion beyond the June 24 deadline set by ALJ Mattson in a late afternoon Ruling on June 23, 2015. The original Motion was filed late on Friday afternoon, June 19, 2015 when Marina Coast Water District requested Recirculation of the NOA for the Draft Environmental Impact Report for the proposed Monterey Peninsula Water Supply Project. Marina Coast alleged that many documents referred to or relied upon in the Draft Report were not accessible to the public during the comment period as required by the California Environmental Quality Act and its implementing guidelines. The public comment period for that document is scheduled to end in six days on July 1, 2015. We do not seek to extend that comment period, though it would appear useful to make substantial compliance with law possible. We merely request permission to file a Response before a final Ruling is made. This will not affect any other party because no timelines are affected.

When we saw the Motion, we anticipated that we might have the standard 15 days in which to formulate a reply. Commission Rule 11.1(e). Although Rule 1.12(b) does state: "If the time for filing a reply, response, protest or answer to the original document has passed, the Administrative Law Judge may limit or prohibit any further reply, response, protest or answer to the amended document," we did not expect a Ruling less than one third of the way through the response period setting a deadline of only one additional day. And on that same day, the Water Authority's MPWSP Governance Committee had a meeting at which we wanted to ask if CalAm's RFP circulation for pipeline construction didn't seem to presume issuance of either a Certificate of Public Convenience and Necessity for the project, or a Valid Final EIR. Either one of these assumptions would appear illegal, even though the planning process for the proposed project is proceeding with a general air of inevitability.

On the afternoon of June 24, there was also Special Meeting of the Monterey City Council at which the City Engineer presented a report of an investigation of potential alternative water sources to comply with the State Water Board's recent drought regulations. We felt it was important to remind the City Council that landscape watering is cheaper and environmentally less damaging when recycled or more broadly shared public supplies are used rather than desalinated water. Though we are a Party to this Proceeding and are also ruled eligible for public compensation, we have not been reimbursed for our work for more than four years and we do not have the resources or personnel to simultaneously submit documents for filing in this Proceeding and on the same day contribute to public process. Nevertheless, we attended and actively participated in both public meetings that day.

We propose to file our Response to MCWD's Motion by Monday, June 29, Almost a week earlier than the standard 15 day period allowed by the Commission Rules, though not quite so early as the single day deadline proposed on the afternoon of June 23rd by ALJ Mattson. Two other developments in

circumstances impinging on A. 12-04-019 are the revelation of a substantial conflict of interest for one of CalAm's and the Commission's hydrology consultants, and the continuing public attention focused on what appears to many to be "too cozy" a relationship between the Commission and the large utilities regulated by it. At the Water Authority meeting on June 24, Mayor Burnett proposed, and CalAm Vice President of Engineering Richard Svindland seemed to agree, that a signed statement by GEOSCIENCE President Dennis E. Williams purporting to say that he was not trying to profit from his patents on slant well technology on this project would allay any public concerns. But this isn't the point of the conflict concerns: Mr. Williams has a far greater personal interest in slant well technology being found to be "Reasonable" for municipal water supply than any particular payment on any given project. However, to others it remains a very expensive and speculative venture (as attested by the numerous uncertainties cited during Governance Committee discussions on June 24). The outcome desired by Mr. Williams is far more probable if the scope of the environmental review does not extend to non-desalination alternatives. Indeed, his goals, as well as CalAm's, would be hardwired into such a process.

Early yesterday morning, Bay Area NBC television stations featured a report by Tony Koveleski interviewing former CPUC Director of Consumer Protection, Richard Clark, about his experience being transferred to other work at the Commission because of his reluctance to meet directly with PG&E executives as a fine was being negotiated for the tragic San Bruno Explosion. Koveleski asked Clark about how he felt about the cozy relationship fostered by former President Peevey and he answered that he was "shocked." A final clip featuring new CPUC President Picker seemed to herald a new era of transparency for the Commission. But today's West County Times Editorial was titled: "Picker's plan takes 'Public' out of PUC" and left the opposite impression. Will the recent calls for a comprehensive "cultural change" at the CPUC come to naught?

In the spirit of conveying an image of the CPUC as a credible Regulator, the Public Trust Alliance requests leave to file a Response in Support of MCWD's Motion for Recirculation of the Notice of Availability for the Draft EIR by June 29 (perhaps even before a final ruling). Since this request is not expected to change any final timetables we are not individually contacting any other parties (but we do hope they make note of our position through service notifications).

Dated: June 26, 2015

Respectfully Submitted,

_____/s/_____
Date:_____

Michael Warburton

Executive Director

The Public Trust Alliance